

TITLE 466  
CHILD SUPPORT ENFORCEMENT PROGRAM  
TABLE OF CONTENTS

CHAPTER 1-000 GENERAL BACKGROUND

1-001 AUTHORIZATION

1-002 PURPOSE AND SCOPE

1-003 ORGANIZATION

1-004 IV-D SERVICES AVAILABLE

1-005 CHILD SUPPORT ENFORCEMENT PROGRAM PARTICIPANTS

1-005.01 Non-Public Assistance (NPA) Recipients

1-005.01A Child Care Subsidy Recipients

1-005.01B \$25 Annual Fee

1-005.01B1 Intergovernmental Cases

1-005.01B2 Exception(s) to Being Assessed the Fee

1-005.02 Public Assistance Recipients

1-005.02A \$25 Annual Fee

1-005.02A1 Intergovernmental Cases

1-005.02A2 Exception(s) to Being Assessed the Fee

1-005.02B Mandatory and Optional Services

1-005.02C Assignment of Support

1-005.02D Requirement to Cooperate

CHAPTER 2-000 DEFINITIONS

CHAPTER 3-000 COOPERATION AND GOOD CAUSE EXEMPTION

3-001 COOPERATION REQUIREMENT

- 3-001.01 ADC Recipients
- 3-001.02 Medicaid Recipients
- 3-001.03 Child Care Subsidy Recipients
- 3-001.04 Responsibilities

3-002 NON-COOPERATION

3-003 GOOD CAUSE EXEMPTION FROM THE COOPERATION REQUIREMENT

- 3-003.01 Corroborative Evidence
- 3-003.02 Determination of Good Cause
  - 3-003.02A Action Upon Good Cause Determination
    - 3-003.02A1 Good Cause Exists – Do Not Proceed with IV-D Services
    - 3-003.02A2 Good Cause Exists – Proceed Cautiously with IV-D Services
    - 3-003.02A3 Good Cause Does Not Exist
  - 3-003.02B Effect on Non-Custodial Party Application

CHAPTER 4-000 CASE INITIATION AND CLOSURE

4-001 CASE INITIATION

4-001.01 Application Requirements

4-001.02 Establishment of Cases

4-001.03 Case Record

4-002 CASE CLOSURE

4-002.01 Case Closure Criteria

4-002.02 Notice of Closure

4-002.02A Requirements for Keeping a Case Open

4-003 RETENTION OF CASE RECORDS

CHAPTER 5-000 LOCATION

5-001 APPROPRIATE LOCATE SOURCES

5-002 LOCATION TIMEFRAMES

5-003 UNABLE TO LOCATE/REPEATED ATTEMPTS

5-004 STATE PARENT LOCATOR SERVICE (SPLS)

5-004.01 Authorized Persons

5-004.02 Authorized Purpose

5-004.03 Authorized Information Returned

5-004.04 Exceptions to Authorized Information Returned

5-004.05 Family Violence Indicator

5-004.06 Family Violence Indicator Override

5-005 FEDERAL PARENT LOCATOR SERVICE (FPLS)

5-005.01 Authorized Persons

5-005.02 Authorized Purpose

5-005.03 Required Information

5-005.04 Authorized Information Returned

5-005.04A Information Provided

5-005.04B Exceptions to Authorized Information Returned

5-005.04C Family Violence Indicator

5-005.04D Family Violence Indicator Override

5-005.05 Child Custody or Visitation and Parental Kidnapping

5-005.05A Authorized Person

5-005.05B Authorized Purpose

5-005.05C Authorized Information Returned

5-005.05D Exceptions to Authorized Information Returned

5-005.05E Family Violence Indicator

5-005.05F Family Violence Indicator Override

5-006 NEBRASKA STATE DIRECTORY OF NEW HIRES (SDNH)

5-006.01 Criteria to Report Independent Contractors

5-006.02 Submission of New Hire Information

5-007 FINANCIAL INSTITUTION DATA MATCH (FIDM)

5-007.01 Information Included in the Listing of Obligors

5-007.02 Information Included in the Match Listing from the Financial Institution

5-007.03 Confidentiality

5-007.04 Non-liability to Financial Institution

5-007.05 Fees

CHAPTER 6-000	PATERNITY ESTABLISHMENT
6-001	ESTABLISHMENT OF PATERNITY
6-002	EXCEPTIONS TO ESTABLISHING PATERNITY
6-003	STATUTE OF LIMITATIONS
6-004	ALLEGED FATHER LOCATED IN ANOTHER STATE
6-005	MORE THAN ONE ALLEGED FATHER
6-006	UNKNOWN FATHER (PUBLIC ASSISTANCE CASES)
6-007	CONTESTED PATERNITY
6-008	GENETIC TESTING
6-008.01	Laboratories
6-008.02	Administrative Subpoena Process
6-008.03	Genetic Test Results
6-008.04	Payment
6-008.05	Reimbursement of State Costs
6-009	VOLUNTARY PATERNITY ACKNOWLEDGEMENT PROGRAM
6-009.01	Hospital Based Program
6-009.02	Programs Outside the Hospital
6-009.03	Signed Notarized Acknowledgement of Paternity
6-009.04	Filing of Acknowledgements and Adjudication
6-010	TIME FRAMES
6-010.01	Long Arm Jurisdiction
6-011	DEFAULT ORDER

REV. SEPTEMBER 3, 2011  
MANUAL LETTER # 76-2011

NEBRASKA DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

CHILD SUPPORT  
TABLE OF CONTENTS  
466 NAC 7-000

CHAPTER 7-000      SUPPORT ORDER ESTABLISHMENT  
7-001   PROCESSING STANDARDS  
7-002   DISMISSED PETITIONS

CHAPTER 8-000 REVIEW AND MODIFICATION OF CHILD SUPPORT ORDERS

8-001 NOTICE OF RIGHT TO REQUEST A REVIEW

8-002 CRITERIA FOR A REVIEW

8-002.01 Child Support Obligation; Request for Review; Frequency

8-002.01A Review Denied

8-002.02B Good Cause

8-003 TIMEFRAMES FOR REVIEW AND MODIFICATION

8-004 INITIATION OF REVIEW

8-004.01 Department-Initiated Review for TANF or IV-E Foster Care

8-004.01A Department-Initiated Review for Medical Support Cases

8-004.01B Department-Initiated Review for Intergovernmental Cases

8-004.02 Individual Request for Review

8-004.02A Receipt of Completed Application

8-004.02B Withdrawal of Request for Review

8-005 REVIEW

8-005.01 Failure to Locate All Parties in Standing

8-005.02 Notice of Intent to Review

8-005.03 Information Needed for a Review

8-005.03A Request for Additional Information

8-005.03B Disclosure of Financial Information

8-006 CALCULATION

8-007 CRITERIA FOR REFERRAL TO COUNTY/AUTHORIZED ATTORNEY

8-007.01 Health Care Coverage Referral Exceptions

8-008 REVIEW DETERMINATION

8-008.01 Notice of Review Determination

8-008.02 Request for Reconsideration of the Determination

8-009 FILING OF APPLICATION FOR MODIFICATION

8-009.01 Inadequate Financial Information

8-009.01A One Party

8-009.01B All Parties

8-010 INCOME WITHHOLDING WITH MODIFIED ORDERS

8-011 INTERGOVERNMENTAL REVIEW AND MODIFICATIONS

8-011.01 Nebraska as Initiating State

8-011.01A Request to Other State

8-011.01B Notification to the Nebraska Party

8-011.02 Nebraska as Responding State

8-011.02A Intergovernmental Request Denied

8-011.02B Intergovernmental Request Granted

8-011.02C Additional Information

8-011.02D Notification to the Party in the Initiating State

8-011.03 Governing Laws

CHAPTER 9-000 ENFORCEMENT OF SUPPORT ORDERS

9-001 TIMEFRAMES FOR ENFORCEMENT

9-002 ADMINISTRATIVE ATTACHMENT

- 9-002.01 Criteria for Administrative Attachment
- 9-002.02 Verification of Applicability of Administrative Attachment
- 9-002.03 Notice of Arrearage
  - 9-002.03A Request for Administrative Hearing
    - 9-002.03A1 Administrative Hearing
    - 9-002.03A2 Hearing Date
    - 9-002.03A3 Hearing Results
  - 9-002.03B Judicial Review
- 9-002.04 Order to Withhold and Deliver
  - 9-002.04A Payor Duties
  - 9-002.04B Fee for Processing an Order to Withhold and Deliver
  - 9-002.04C Failure or Refusal of the Payor to Withhold and Deliver
  - 9-002.04D Discharge of the Payor
  - 9-002.04E Payor's Release from Liability
  - 9-002.04F Priority of an Order to Withhold and Deliver
- 9-002.05 Notice of Order to Withhold and Deliver
  - 9-002.05A Request for Administrative Hearing
    - 9-002.05A1 Administrative Hearing
    - 9-002.05A2 Hearing Date
    - 9-002.05A3 Hearing Results
  - 9-002.05B Judicial Review
- 9-002.06 Notice to Other Persons with an Ownership Interest
  - 9-002.06A Request for Administrative Hearing
    - 9-002.06A1 Administrative Hearing
    - 9-002.06A2 Hearing Date
    - 9-002.06A3 Hearing Results
  - 9-002.06B Judicial Review

9-003 ADMINISTRATIVE ENFORCEMENT IN INTERGOVERNMENTAL CASES

9-004 ADMINISTRATIVE OFFSET

9-005 ADMINISTRATIVE SUBPOENA

- 9-005.01 Criteria for Administrative Subpoena
- 9-005.02 Failure or Refusal to Comply
  - 9-005.02A Request for Administrative Hearing
    - 9-005.02A1 Administrative Hearing
    - 9-005.02A2 Hearing Date
    - 9-005.02A3 Hearing Results
  - 9-005.02B Judicial Review

9-005.03 Confidentiality

9-005.04 Intergovernmental Subpoena

9-006 BANKRUPTCY

- 9-006.01 Types of Bankruptcy Filings
- 9-006.02 Notice of Bankruptcy Proceedings
- 9-006.03 Effect of Bankruptcy Filing on Enforcement Actions
  - 9-006.03A Automatic Stay
  - 9-006.03B Filing Proof of Claim
  - 9-006.03C Objection to Chapter 13 Plan



9-007 CONSUMER CREDIT REPORTING

- 9-007.01 Advance Notice to the Non-custodial Party
- 9-007.02 Request for Administrative Review
- 9-007.03 Conducting the Administrative Review
  - 9-007.03A Finding of the Administrative Review
  - 9-007.03B Request for Administrative Hearing
- 9-007.04 Submittal Process Stayed
- 9-007.05 Administrative Hearing
- 9-007.06 Hearing Date
- 9-007.07 Hearing Results
- 9-007.08 Judicial Review
- 9-007.09 Information Reported to Consumer Credit Reporting Agencies
- 9-007.10 Dispute to Consumer Credit Reporting Agencies

9-008 INCOME WITHHOLDING

- 9-008.01 Criteria for Income Withholding
- 9-008.02 Notice of Intent to Withhold Income
  - 9-008.02A Content of the Notice of Intent
  - 9-008.02B Mailing the Notice of Intent
- 9-008.03 Administrative Hearing
  - 9-008.03A Income Withholding Suspended
  - 9-008.03B Administrative Hearing
  - 9-008.03C Hearing Date
  - 9-008.03D Hearing Results
  - 9-008.03E Request for Hearing on a Foreign Support Order
- 9-008.04 Notice to Withhold Income
  - 9-008.04A Timeframes
  - 9-008.04B Employer Compliance
  - 9-008.04C Administrative Fee
  - 9-008.04D Effective Date
  - 9-008.04E Amount of Income to be Withheld
  - 9-008.04F Multiple Support Orders
  - 9-008.04G Penalties
- 9-008.05 Termination of Income Withholding
- 9-008.06 Withholding of Unemployment Insurance Benefits
  - 9-008.06A Notice of Intent to Withhold Income
  - 9-008.06B Request for Administrative Hearing
  - 9-008.06C Receipt of Intercepted Support Payments
  - 9-008.06D Collected Support Payments
  - 9-008.06E Terminating Income Withholding
- 9-008.07 Direct Income Withholding
  - 9-008.07A Employer Compliance
  - 9-008.07B Penalties

9-009 (RESERVED)

- 9-009.01 (Reserved)

9-010 LICENSE SUSPENSION

- 9-010.01 Criteria for License Suspension
- 9-010.02 Verification of Applicability of License Suspension
- 9-010.03 Notice to Suspend
- 9-010.04 Contesting License Suspension
  - 9-010.04A Direct Judicial Review
  - 9-010.04B Administrative Review

	9-010.04B1	Conducting the Administrative Review
	9-010.04B2	Finding of the Administrative Review
	9-010.04C	Request for an Administrative Hearing
	9-010.04C1	Administrative Hearing
	9-010.04C2	Hearing Date
	9-010.04C3	Hearing Results
	9-010.04D	Judicial Review
	9-010.05	Request for Review and Modification
	9-010.06	Certification to Suspend License
	9-010.06A	Motor Vehicle Operator's License
	9-010.06B	Recreational License
	9-010.06C	Professional and Occupational Licenses
	9-010.07	Suspension of License
	9-010.08	Reinstatement of License
	9-010.08A	Confirmation to Licensing Authority
9-011	LIENS	
	9-011.01	Enforcement
	9-011.02	Release and Subordination
	9-011.02A	Release or Subordination When Current
	9-011.02B	Judgment Creditor Refuses to Execute a Release of Subordination
	9-011.02C	Priority of Real Property Mortgages
	9-011.03	Duration of Lien
	9-011.03A	Execution on a Child Support Lien
	9-011.04	Attachment of Liens on Motor Vehicles
9-012	INTERGOVERNMENTAL LIENS	
	9-012.01	Full Faith and Credit
	9-012.02	Filing Requirements
9-013	MILITARY ALLOTMENT	
	9-013.01	Involuntary Allotments
	9-013.02	Voluntary Allotment
9-014	OFFSET PROGRAMS	
	9-014.01	Federal Tax and Administrative Offset
	9-014.02	Eligibility for Federal Tax Offset and Administrative Offset
	9-014.02A	Public Assistance Cases
	9-014.02B	Non-Public Assistance and Medicaid-Only Cases
	9-014.03	Notice of Offset
	9-014.04	Contesting Federal Tax Offset or Administrative Offset
	9-014.04A	Conducting the Administrative Review
	9-014.04A1	Finding of the Administrative Review
	9-014.04B	Request for an Administrative Hearing
	9-014.04B1	Administrative Hearing
	9-014.04B2	Hearing Date
	9-014.04B3	Hearing Results
	9-014.04C	Judicial Review
	9-014.05	Submitting Intergovernmental Cases for Federal Offset
	9-014.05A	Joint Returns/Non-Obligated Spouse Claim
	9-014.06	Distribution of Collections
	9-014.07	Referral to the Department of Revenue for Tax Refund Offset
	9-014.07A	Notice to the Non-Custodial Party of Referral
	9-014.08	Contesting State Tax Offset

	9-014.08A	Conducting the Administrative Review
	9-014.08A1	Finding of the Administrative Review
	9-014.08B	Request for an Administrative Hearing
	9-014.08B1	Administrative Hearing
	9-014.08B2	Hearing Date
	9-014.08B3	Hearing Results
	9-014.08C	Judicial Review
	9-014.09	Receipt to Non-custodial Party of Offset Support
	9-014.10	Joint Returns/Non-Obligated Spouse Claim
	9-014.11	Distribution of Collections
9-015	STATE LOTTERY PRIZE OFFSET	
	9-015.01	Referral to the Department of Revenue for a Lottery Prize Offset
	9-015.01A	Notification from Department of Revenue
	9-015.02	Notification to Non-Custodial Party of Offset
	9-015.02A	Content of Notice of Offset
	9-015.02B	Request for Administrative Review
	9-015.02C	Conducting the Administrative Review
	9-015.02C1	Finding the Administrative Review
	9-015.02D	Request for an Administrative Hearing
	9-015.02D1	Administrative Hearing
	9-015.02D2	Hearing Date
	9-015.02D3	Hearing Results
	9-015.02E	Judicial Review
9-016	PASSPORT DENIAL/REVOCAION	
	9-016.01	Eligibility for Passport Denial/Revocation
	9-016.01A	Public Assistance Cases
	9-016.01B	Non-Public Assistance Cases
	9-016.02	Notification to Non-Custodial Party of Passport Denial/Revocation
	9-016.02A	Contesting Passport Denial/Revocation
	9-016.03	Notification to State with the Original Order
	9-016.03A	Conducting the Administrative Review
	9-016.03A1	Finding of the Administrative Review
	9-016.03B	Request for an Administrative Hearing
	9-016.03B1	Administrative Hearing
	9-016.03B2	Hearing Date
	9-016.03B3	Hearing Results
	9-016.03C	Judicial Review
	9-016.03D	Notification to OCSE
9-017	U.S. ATTORNEY REFERRAL	
	9-017.01	Offense
	9-017.02	Presumption
	9-017.03	Referral Criteria
	9-017.04	Penalties
	9-017.05	Mandatory Restitution
9-018	DEBT CHECK	
	9-018.01	Eligibility for Debt Check
	9-018.01A	Public Assistance Cases
	9-018.01B	Non-Public Assistance and Medicaid-Only Cases
	9-018.02	Notice
	9-018.03	Contesting Debt Check
	9-018.03A	Conducting the Administrative Review

	9-018.03A1	Finding of the Administrative Review
	9-018.03B	Request for an Administrative Hearing
	9-018.03B1	Administrative Hearing
	9-018.03B2	Hearing Date
	9-018.03B3	Hearing Results
	9-018.03C	Judicial Review
9-019	UNCLAIMED PROPERTY OFFSET	
	9-019.01	Notification from Department
	9-019.01A	Content of Notice Offset
	9-019.01B	Request for an Administrative Review
	9-019.01B1	Conducting the Administrative Review
	9-019.01B1a	Finding of the Administrative Review
	9-019.01C	Request for Administrative Hearing
	9-019.01C1	Administrative Hearing
	9-019.01C2	Hearing Date
	9-019.01C3	Hearing Results
	9-019.01D	Judicial Review

CHAPTER 10-000	INTERGOVERNMENTAL CASES
10-001	INTERGOVERNMENTAL CENTRAL REGISTRY
10-001.01	Inadequate Documentation
10-001.02	Case Status Inquiries
10-002	NEBRASKA AS INITIATING AGENCY
10-002.01	Long Arm Statute
10-002.02	Non-Custodial Party in Another Jurisdiction
10-002.03	Request for Information
10-002.04	Receipt of New Information
10-002.05	Review and Modification
10-002.06	Case Closure
10-002.07	Submission for Offset, Passport Denial, MSFIDM and Insurance Match
10-002.08	Interest Charges
10-003	NEBRASKA AS RESPONDING AGENCY
10-003.01	Receipt of Intergovernmental Request
10-003.01A	Controlling Order Determination Request
10-003.01B	Notification of Controlling Order Determination
10-003.02	Non-Custodial Party Location---Within Nebraska
10-003.03	Non-Custodial Party Location---Outside Nebraska
10-003.04	Notice to Initiating Agency
10-003.05	Receipt of New Information
10-003.06	Case Closure
10-003.06A	Request from Initiating Agency
10-003.06B	Failure by Initiating Agency to Take Necessary Action
10-003.07	Review and Modification
10-003.08	Consumer Credit Reporting
10-004	PAYMENT AND RECOVERY OF COST IN INTERGOVERNMENTAL CASES
10-005	INTERGOVERNMENTAL LIENS
10-005.01	Full Faith and Credit
10-005.02	Filing Requirements
10-006	INTERGOVERNMENTAL ADMINISTRATIVE SUBPOENA
10-007	ADMINISTRATIVE ENFORCEMENT IN INTERGOVERNMENTAL CASES (AEI)
10-007.01	Requests for AEI
10-007.02	Record-Keeping Requirements

CHAPTER 11-000 COLLECTION AND DISTRIBUTION

11-001 COLLECTION OF SUPPORT PAYMENTS

11-002 DISTRIBUTION

11-002.01 Assignment

11-002.01A Assignment as it Relates to ADC

11-002.01B Assignment as it Relates to Medicaid

11-002.01C Assignment as it Relates to Foster Care

11-002.01C1 Excess Collections of Current Support in Foster Care Cases

11-002.01C2 Excess Collection of Arrears in Foster Care Cases

11-002.01D Assignment as it Relates to Cash Medical Support Payments

11-002.02 Partial Termination of Assignment

11-002.03 Final Termination of Assignment

11-002.04 Federal Income Tax Offset Distribution

11-002.05 Undisbursed Support Payments and Abandoned Property

11-002.05A Abandoned Property and Program Income

11-002.05A1 Classification of Funds

11-002.05B Availability of Funds

11-003 INTERGOVERNMENTAL CASES

11-004 STATE DISBURSEMENT UNIT (SDU)

11-004.01 Electronic Payment Delivery (or Electronic Disbursement)

11-004.02 Exceptions to Electronic Disbursement

11-005 SDU SCOPE OF SERVICES

11-005.01 Customer Billing

11-005.02 Payment Receipting

11-005.03 Obligor Account Activity Summary

11-005.04 Disbursement

11-005.05 Payment Records

11-005.06 Customer Service

11-005.07 Insufficient Funds Checks

11-005.07A Bad Debt Payments

11-005.07B Insufficient Funds Payment to the Department

11-005.08 Business Practices and Standards

11-005.09 State Disbursement Advisory Commission

11-006 IV-D AND FORMER IV-D RECOVERY OF OVERPAYMENTS

11-006.01 Non-IV-D Recovery of Overpayments

11-006.02 Identification of Overpayments

11-006.03 Repayment Agreement

11-006.03A Recovery of Insufficient Fund Checks and Bank Fees

11-006.04 Referral to the IV-A Agency for Non-cooperation

11-006.05 Subsequent Notification to the IV-A Agency

11-006.06 Enforcement Actions

11-006.07 Request for Administrative Review

11-006.07A Administrative Hearing

11-006.07A1 Hearing Date

11-006.07A2 Hearing Results

11-006.07B Judicial Review

CHAPTER 12-000	CONFIDENTIALITY AND SAFEGUARDING OF INFORMATION
12-001	MAINTAINING CONFIDENTIALITY
12-001.01	Authorized Disclosure of Information
12-001.02	Penalties for Unauthorized Disclosure and/or Viewing
12-002	FAMILY VIOLENCE INDICATOR
12-002.01	Family Violence Indicator Override
12-003	INTERNAL REVENUE SERVICE (IRS) INFORMATION
12-003.01	Internal Revenue Service Safeguards
12-003.02	Penalties for Unauthorized Disclosure and/or Viewing
12-003.02A	Criminal Penalties
12-003.02B	Civil Penalties
12-004	DEPARTMENT OF REVENUE INFORMATION
12-005	STATE FINANCIAL INSTITUTION DATA MATCH (FIDM) AND MULTI-STATE FINANCIAL INSTITUTION DATA MATCH (MSFISM)

CHAPTER 13-000 MEDICAL SUPPORT

13-001 ASSIGNMENT OF MEDICAL SUPPORT RIGHTS

13-002 PROVISION OF MEDICAL SUPPORT SERVICES

13-002.01 ADC Grant Payment Applicant/Recipients Eligibility

13-002.02 Medicaid Only Applicant/Recipients Eligibility

13-002.02A Cooperation

13-003 NON-PUBLIC ASSISTANCE APPLICANT/RECIPIENTS ELIGIBILITY

13-004 ESTABLISHING MEDICAL SUPPORT

13-004.01 Providing Health Insurance Information to the Third Party Liability Unit

13-004.02 Notifying the Applicant/Recipient of Health Insurance Policy Information

13-005 INTERGOVERNMENTAL REFERRALS

13-006 ENFORCING MEDICAL SUPPORT

13-006.01 Health Insurance Coverage Inquiry

13-006.02 Enrollment in Health Insurance Coverage

13-006.03 National Medical Support Notice (NMSN)

13-006.03A National Medical Support Notice and Directory of New Hires

13-006.03B Exceptions to the Use of the National Medical Support Notice

13-006.03C Employment-Related Health Care Coverage

13-006.03D Failure to Transmit

13-006.03E Request for Administrative Hearing

13-006.03E1 Enrollment Not Suspended

13-006.03E2 Administrative Hearing

13-006.03E3 Hearing Date

13-006.03E4 Hearing Results

13-006.03E5 Judicial Review

13-006.04 Enrollment

13-006.05 Withholding Health Insurance Premiums

13-006.05A Priority of Withheld Amounts

13-006.06 Enrollment of a Dependent Child

13-006.07 Enrollment Season Restriction

13-006.08 Cancellation of Health Insurance Coverage

13-006.09 Lapses in Coverage

13-006.10 Information Provided

13-007 CONFIDENTIALITY